

**WEDNESDAY, FEBRUARY 11, 1981**

**SEVENTH LEGISLATIVE DAY**

The House met at 1:30 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Reverend Danny Sellars, Church of God, Mt. Juliet, Tennessee.

Representative Bell (Wilson) led the House in the Pledge of Allegiance to the Flag.

The Speaker announced that the Honorable Rufus Jones had been elected by the Board of County Commissioners of Shelby County to fill the vacancy in the 86th Representative District.

The Clerk was directed to spread the following document pertaining to the election on the Journal:

**RESOLUTION ELECTING REPRESENTATIVE IN AND FOR  
THE 86TH HOUSE DISTRICT OF THE GENERAL ASSEMBLY OF THE STATE  
OF TENNESSEE**

WHEREAS, Mr. Emmitt Ford has resigned from the 86th State House District of the General Assembly of the State of Tennessee; and

WHEREAS, A vacancy has been declared in said office by proper authority of Article II, Section 15 of the Constitution of the State of Tennessee; and

WHEREAS, Pursuant to that constitutional section and T.C.A. 5-5-111 the County legislative body is authorized to select an interim successor to serve in that office until a special election is called; and

WHEREAS, The prescribed notice and procedure of T.C.A. 5-5-112 through 5-5-117 have been complied with by this Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the Honorable RUFUS JONES be and he is hereby elected Representative in and for the 86th State House District of the General Assembly of the State of Tennessee for a term to expire at the election and qualification of a duly chosen successor to this office in either special or general election of the State of Tennessee, a vacancy having been declared in said office by proper authority under Article II, Section 15 of the Constitution of the State of Tennessee, resulting from the resignation of Representative Emmitt Ford.

**WILLIAM M. MORRIS, JR.,**

**COUNTY MAYOR**

Date 2-10-81

**ADOPTED:**

February 9, 1981

The Speaker appointed the following committee to escort Representative-elect Jones to the Well of the House: Representatives Brewer, McKinney, Robinson (Hamilton), King and Love.

### **OATH OF OFFICE**

The Oath of Office was administered to Representative-elect Rufus Jones by Speaker McWherter.

The Speaker announced that Representative Rufus Jones would be seated as the qualified and duly-elected Representative from the 86th Representative District.

The Speaker recognized Representative Jones for brief remarks.

The roll call was taken with the following results:

Present ..... 97

Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—97.

### **ENGROSSED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 29, 52, 60, 75, 76, 127, 177, 185 and 345; and House Joint Resolutions Nos. 47, 51, 52, 53, 54, 56, 61, 65, 67, 68 and 70; and find same correctly engrossed and ready for transmission to the Senate.

**MARILYN EVELYN HAND,**  
*Chief Engrossing Clerk.*

### **MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Joint Resolutions Nos.

47—Relative to designating recipient, census maps;

68—Relative to honoring Representative W. R. "Spot" Lowe; both concurred in by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
*Chief Clerk.*

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

## CALENDAR

Mr. Buck moved that House Bill No. 77 be placed on the heel of the Calendar for Thursday, February 12, 1981, which motion prevailed.

House Bill No. 82—To provide for transfer of certain function, state government.

Mr. Davis (Hamilton) moved that House Bill No. 82 be passed on third and final consideration.

Mr. Henry (Roane) moved that action on House Bill No. 82 be delayed for two weeks.

Mr. Burnett moved that the motion be tabled, which motion prevailed by the following vote:

Ayes .....	57
Noes .....	38
Present and not voting .....	2

Representatives voting aye were: Akard, Bell (Wilson), Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Ellis, Gaia, Gill, Hillis, Jared, Johnson, Jones, Kernell, King (Shelby), Lashlee, Love, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Shirley, Spence, Stallings, Starnes, Tanner, Turner, Ussery, Wheeler, Withers, Wix, Work, Yelton and Mr. Speaker McWherter—57.

Representatives voting no were: Baker, Bell (Knox), Bewley, Carter, Chiles, Clark (Sumner), Copeland, Duer, Duncan, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hudson, Hurley, Huskey, Kelley, Kent, King (Washington), McAfee, McNally, Martin, Montgomery, Moore, Percy, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Smith, Stafford, Sterling, Webb, Whitson, Wolfe and Wood—38.

Representatives present and not voting were: Small and Wallace—2.

Mr. McKinney moved the previous question, which motion failed by the following vote:

Ayes .....	60
Noes .....	35

Representatives voting aye were: Akard, Bell (Wilson), Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Ellis, Gaia, Gill, Hillis, Hurley, Jared, Johnson, Jones, Kernell, King (Shelby), Lashlee, Love, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Shirley, Spence, Stallings, Starnes, Tanner, Turner, Wallace, Wheeler, Withers, Wix, Wood, Work, Yelton and Mr. Speaker McWherter—60.

Representatives voting no were: Baker, Bell (Knox), Bewley, Chiles, Clark (Sumner), Copeland, Duncan, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hudson, Huskey, Kelley, Kent, King (Washington), McAfee, McNally, Martin, Montgomery, Moore, Percy, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Smith, Stafford, Sterling, Ussery, Webb, Whitson and Wolfe—35.

## WEDNESDAY, FEBRUARY 11, 1981—7th LEGISLATIVE DAY

Mr. Rhinehart moved the previous question, which motion prevailed.

Thereupon, House Bill No. 82, passed its third and final consideration by the following vote:

Ayes .....	55
Noes .....	39
Present and not voting .....	2

Representatives voting aye were: Akard, Bell (Wilson), Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Ellis, Gaia, Gill, Hillis, Jared, Johnson, Kernell, King (Shelby), Lashlee, Love, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Shirley, Spence, Stallings, Starnes, Tanner, Turner, Wheeler, Withers, Wix, Work, Yelton and Mr. Speaker McWherter—55.

Representatives voting no were: Baker, Bell (Knox), Bewley, Carter, Chiles, Clark (Sumner), Copeland, Duer, Duncan, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hudson, Hurley, Huskey, Kelley, Kent, King (Washington), McAfee, McNally, Martin, Montgomery, Moore, Percy, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Smith, Stafford, Sterling, Ussery, Webb, Whitson, Wolfe and Wood—39.

Representatives present and not voting were: Small and Wallace—2.

A motion to reconsider was tabled.

House Bill No. 131—To amend Sections 4-29-202 and 4-29-203, Code.

Mr. Davis (Hamilton) moved that House Bill No. 131 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	96
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—96.

A motion to reconsider was tabled.

Mr. Davis (Hamilton) moved that House Bill No. 132 be placed on the Calendar for Wednesday, February 18, 1981, which motion prevailed.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to request the return of Senate Bill No. 295, for further consideration.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

On motion of Mr. Naifeh, Senate Bill No. 295 was returned to the Senate as requested.

RESOLUTION LYING OVER

Senate Joint Resolution No. 40—Relative to welcoming J. A. Okalalu, Nigeria.

Under the rules, Senate Joint Resolution No. 40 was referred to the Committee on Calendar and Rules.

Mr. McKinney moved that the rules be suspended for the purpose of introducing House Resolution No. 9 out of order, which motion prevailed.

House Resolution No. 9—Relative to memorializing W. R. "Spot" Lowe—By McKinney, Lashlee, Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Love, McAfee, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter.

Mr. McKinney moved that House Resolution No. 9 be adopted, which motion prevailed by the following vote:

Ayes .....	98
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—98.

A motion to reconsider was tabled.

## WEDNESDAY, FEBRUARY 11, 1981—7th LEGISLATIVE DAY

Mr. King (Shelby) moved that the rules be suspended for the purpose of introducing House Resolution No. 8 out of order, which motion prevailed.

House Resolution No. 8—Relative to memory, Thomas Wesley Perkins—By King (Shelby).

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. King (Shelby), the resolution was adopted.

A motion to reconsider was tabled.

Mr. Burnett moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 73 out of order, which motion prevailed.

House Joint Resolution No. 73—Relative to honoring Victor Ashe—By Burnett.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Burnett, the resolution was adopted.

A motion to reconsider was tabled.

### SECOND ROLL CALL

The roll call was taken with the following results:

Present ..... 97

Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—97.

### INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 69—Relative to constructing exit ramp, I-640 and Clinton Highway—By Owen, Severance, Smith, Miller, Scruggs, Bell (Knox) and Hudson.

The Speaker referred House Joint Resolution No. 69 to the Committee on Transportation.

House Joint Resolution No. 71—Relative to memory, Jesse A. Anderson—By Martin.

Under the rules, House Joint Resolution No. 71 was referred to the Committee on Calendar and Rules.

### INTRODUCTION OF BILLS

House Bill No. 576—To regulate zoning, certain single family residences—By Robinson (Davidson).

**WEDNESDAY, FEBRUARY 11, 1981—7th LEGISLATIVE DAY**

Passed first consideration.

House Bill No. 577—To provide for election, members, Public Service Commission—By Robinson (Davidson).

Passed first consideration.

House Bill No. 578—To enact the Bank Customer Dispute Resolution Act—By Webb, Hudson, Henry (Roane), Sterling, Robertson, Robinson (Washington), Wolfe, Smith, Stafford, Carter and Henry (Blount).

Passed first consideration.

House Bill No. 579—To amend Section 45-1-108, Code—By Webb, Henry (Roane), Wolfe, Robertson, Robinson (Washington), Smith, Stafford, Carter and Henry (Blount).

Passed first consideration.

House Bill No. 580—To allow transfer, surplus personal property—By Scruggs, Sterling, Henry (Roane), Davis (Hamilton), Robinson (Washington), Montgomery, Harrill, Chiles, Stafford, Smith, Carter and Henry (Blount).

Passed first consideration.

House Bill No. 581—To amend Section 4-3-1003, and 4-3-1104, Code—By Scruggs, Sterling, Henry (Roane), McNally, Davis (Hamilton), Robinson (Washington), Robertson, Montgomery, Huskey, Chiles, Stafford, Henry (Blount), Hudson and Smith.

Passed first consideration.

House Bill No. 582—To amend Section 12-2-112, Code—By Scruggs, Sterling, Henry (Roane), Davis (Hamilton), Robertson, Robinson (Washington), Huskey, Smith, Stafford, Carter, Henry (Blount) and Shockley.

Passed first consideration.

House Bill No. 583—To amend Title 20, Chapter 4, Code—By Murray.

Passed first consideration.

House Bill No. 584—To amend Title 30, Chapter 11, Code—By Murray and Bell (Wilson).

Passed first consideration.

House Bill No. 585—To establish library commission, Union County—By Wheeler.

Passed first consideration.

House Bill No. 586—To regulate sale of tickets, certain concerts—By Kent.

Passed first consideration.

House Bill No. 587—To amend Title 5, Chapters 5 and 6, Code—By Bivens and Webb.

Passed first consideration.

**WEDNESDAY, FEBRUARY 11, 1981—7th LEGISLATIVE DAY**

**House Bill No. 588—To amend Chapter 76, Private Acts, 1955—By Henry (Blount), Huskey and Stafford.**

**Passed first consideration.**

**House Bill No. 589—To amend Section 8-36-113, Code—By Lashlee, Naifeh and Tanner.**

**Passed first consideration.**

**House Bill No. 590—To enact the Educational Television Network Act—By Lashlee, Lowe, Work, Davis (Gibson), Wood, Kernell, Robinson (Hamilton), Davis (Hamilton), McNally, Shockley, Jared, Kelley, Bivens, Owen, Kent, Starnes, Stallings, Tanner, Naifeh, Johnson and King (Washington).**

**Passed first consideration.**

**House Bill No. 591—To amend Section 67-3012, Code—By Sterling, Wood, Henry (Roane), Carter, Robinson (Washington), McNally, Robertson, Wolfe, Moore, Smith and Stafford.**

**Passed first consideration.**

**House Bill No. 592—To amend Section 2-5-208(2), Code—By Frensley and Rhinehart.**

**Passed first consideration.**

**House Bill No. 593—To amend Section 2-6-115, Code—By Frensley and Severance.**

**Passed first consideration.**

**House Bill No. 594—To continue temporary retail sales tax—By Chiles, Sterling, Henry (Roane), Robinson (Washington), McNally, Robertson, Wolfe, Frensley, Moore, Smith, Kelley, Stafford and Shockley.**

**Passed first consideration.**

**House Bill No. 595—To regulate judgement liens against farm products—By Davidson.**

**Passed first consideration.**

**House Bill No. 596—To create additional Circuit Court and judge, Ninth Circuit—By Davidson.**

**Passed first consideration.**

**House Bill No. 597—To increase property assessment, certain circumstances—By Covington, Clark (Davidson), Disspayne, Murphy (Davidson), Ellis and Love.**

**Passed first consideration.**

**House Bill No. 598—To regulate waiver of tax penalties—By Robertson, Sterling, Henry (Roane), Carter, Smith and Stafford.**

**Passed first consideration.**

**House Bill No. 599—To amend "The Junkyard Control Act of 1967"—By Chiles, Kelley, Henry (Roane), Robinson (Hamilton), Carter, Scruggs, Moore, Montgomery, Stafford,**

**WEDNESDAY, FEBRUARY 11, 1981—7th LEGISLATIVE DAY**

**Henry (Blount), Hillis, Stallings and Bivens.**

**Passed first consideration.**

**House Bill No. 600—To prohibit sale, certain metal beverage containers—By Scruggs, Henry (Roane), Moore, Wolfe, Harrill, Baker, Stafford, Henry (Hamilton), Hillis and Stallings.**

**Passed first consideration.**

**House Bill No. 601—To prohibit transport, certain materials—By Baker, Henry (Roane), Carter, McNally, Robinson (Hamilton), Scruggs, Moore, Wolfe, Harrill, Robertson, Stafford, Henry (Hamilton), Hillis and Stallings.**

**Passed first consideration.**

**House Bill No. 602—To amend Section 4-1231, Code—By Baker, Robinson (Washington), Carter, Henry (Roane), McNally, Moore, Wood, Wolfe, Harrill, Robertson, Scruggs, Kelley, Stafford, Henry (Blount) and Hillis.**

**Passed first consideration.**

**House Bill No. 603—To set penalty, violation of litter control law—By McNally, Baker, Henry (Roane), Robinson (Washington), Carter, Scruggs, Moore, Wood, Wolfe, Harrill, Chiles, Stafford, Henry (Blount), Hillis and Stallings.**

**Passed first consideration.**

**House Bill No. 604—To allow emergency removal of children from legal guardians—By Cobb.**

**Passed first consideration.**

**House Bill No. 605—To amend Title 16, Chapter 3; Code—By Cobb.**

**Passed first consideration.**

**House Bill No. 606—To enact Uniform Durable Power of Attorney Act—By Cobb.**

**Passed first consideration.**

**House Bill No. 607—To make certain provisions, parental rights—By Cobb.**

**Passed first consideration.**

**House Bill No. 608—To provide for election, executive committee, political parties—By Cobb.**

**Passed first consideration.**

**House Bill No. 609—To make certain provisions, executive committee, political parties—By Cobb.**

**Passed first consideration.**

**House Bill No. 610—To make certain provisions, juvenile courts—By Smith, McAfee, Carter, Henry (Roane), Robinson (Washington), Robertson, Harrill, Scruggs and Stafford.**

**Passed first consideration.**

## **WEDNESDAY, FEBRUARY 11, 1981—7th LEGISLATIVE DAY**

House Bill No. 611—To regulate licensure, child welfare agencies—By Smith, McAfee, Carter, Henry (Roane), Robinson (Washington), Scruggs, Robertson, Harrill and Stafford.

Passed first consideration.

House Bill No. 612—To make certain provisions, unemployment compensation—By Smith, Henry (Roane), Robertson, Moore and Stafford.

Passed first consideration.

House Bill No. 613—To make certain provisions, unemployment compensation—By Smith, Henry (Roane), Robertson, Moore and Stafford.

Passed first consideration.

House Bill No. 614—To make certain provisions, securities—By Henry (Blount), Robinson (Washington), Robertson, Huskey, Stafford and Smith.

Passed first consideration.

House Bill No. 615—To provide for special license plates, National Guard—By Tanner, Webb, Wood, Henry (Roane), Bragg and Naifeh.

Passed first consideration.

### **SENATE BILLS ON FIRST CONSIDERATION**

Senate Bill No. 77—To amend Section 36-801, Code.

Passed first consideration.

Senate Bill No. 79—To amend Sections 40-2503 and 20-7-106, Code.

Passed first consideration.

Senate Bill No. 119—To regulate training, coon dogs.

Passed first consideration.

Senate Bill No. 138—To amend Tennessee County Uniform Highway Law.

Passed first consideration.

Senate Bill No. 238—To amend Title 54, Chapter 14, Part 1, Code.

Passed first consideration.

Senate Bill No. 246—To amend Charter, Gadsden.

Passed first consideration.

Senate Bill No. 250—To impose privilege tax, Crockett County.

Passed first consideration.

Senate Bill No. 395—To amend Charter, Bluff City.

Passed first consideration.

**SENATE BILLS ON SECOND CONSIDERATION**

**Senate Bill No. 162—To amend Section 67-1304, Code.**

**Passed second consideration and referred to Committee on State and Local Government.**

**Senate Bill No. 174—To amend Section 67-5815, Code.**

**Passed second consideration and referred to Committee on State and Local Government.**

**Senate Bill No. 207—To amend Tax Enforcement Procedures Act.**

**Passed second consideration and referred to Committee on Finance, Ways and Means.**

**Senate Bill No. 212—To amend Section 67-101, Code.**

**Passed second consideration and referred to Committee on Finance, Ways and Means.**

**Senate Bill No. 219—To amend Section 67-4102, Item 5, Code.**

**Passed second consideration and referred to Committee on Finance, Ways and Means.**

**HOUSE BILLS ON SECOND CONSIDERATION**

**House Bill No. 546—To make certain provisions, post mortem examinations.**

**Passed second consideration and referred to Committee on Judiciary.**

**House Bill No. 547—To allow confiscation of property used in certain crimes.**

**Passed second consideration and referred to Committee on Judiciary.**

**House Bill No. 548—To make certain provisions, employment of teachers.**

**Passed second consideration and referred to Committee on Education.**

**House Bill No. 549—To make certain provisions, payments in lieu of taxes, hospitals.**

**Passed second consideration and referred to Committee on State and Local Government.**

**House Bill No. 550—To provide for salary increases, certain public officials.**

**Passed second consideration and referred to Committee on State and Local Government.**

**House Bill No. 551—To provide for filling vacancies, county offices.**

**Passed second consideration and referred to Committee on State and Local Government.**

**House Bill No. 552—To define duties, Attorney General and Reporter.**

**Passed second consideration and referred to Committee on Judiciary.**

## **WEDNESDAY, FEBRUARY 11, 1981—7th LEGISLATIVE DAY**

House Bill No. 553—To make certain provisions, medical assistance.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 554—To make provisions, road commission, Carroll County.

Passed second consideration and held without reference.

House Bill No. 555—To amend certain terms of office, Linden.

Passed second consideration and held without reference.

House Bill No. 556—To regulate sale, tobacco products to minors.

Passed second consideration and referred to Committee on Agriculture.

House Bill No. 557—To make certain provisions, liens on boats.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 558—To authorize tax on lodging, Monteagle.

Passed second consideration and held without reference.

House Bill No. 559—To amend Title 8, Chapter 35; Code.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 560—To restrict campaign contributions.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 561—To provide parking privileges, handicapped persons.

Passed second consideration and referred to Committee on Transportation.

House Bill No. 562—To provide for Superintendent of Education, Anderson County.

Passed second consideration and held without reference.

House Bill No. 563—To amend Chapter 54, Title 7; Code.

Passed second consideration and referred to Committee on Conservation and Environment.

House Bill No. 564—To amend Title 6, Chapter 51, Code.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 565—To regulate automobile auctions.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 566—To repeal Section 39-4001 and 39-4002, Code.

Passed second consideration and referred to Committee on Judiciary.

## WEDNESDAY, FEBRUARY 11, 1981—7th LEGISLATIVE DAY

House Bill No. 567—To authorize counties to levy privilege tax, entertainment.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 568—To authorize bond issue, bridge, Ft. Loudon Lake.

Passed second consideration and referred to Committee on Transportation.

House Bill No. 569—To provide proficiency testing, high school seniors.

Passed second consideration and referred to Committee on Education.

House Bill No. 570—To provide for special census, certain counties.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 571—To amend Title 6, Chapter 3, Code.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 572—To amend Chapter 62, Public Acts 1969.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 573—To regulate purchase money security interests.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 574—To make certain provisions, certificates of deposit.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 575—To make certain provisions, wholesale liquor purchases.

Passed second consideration and referred to Committee on State and Local Government.

## STANDING COMMITTEE REPORTS

### AGRICULTURE

MR. SPEAKER: Your Committee on Agriculture begs leave to report that we have carefully considered and recommend for passage: House Bill No. 115.

PICKERING, *Chairman.*

Under the rules, House Bill No. 115 was transmitted to the Committee on Calendar and Rules.

### COMMERCE

MR. SPEAKER: Your Committee on Commerce begs leave to report that we have carefully considered and recommend for passage: House Bill No. 203.

MURRAY, *Chairman.*

## **WEDNESDAY, FEBRUARY 11, 1981—7th LEGISLATIVE DAY**

Under the rules, House Bill No. 203 was transmitted to the Committee on Calendar and Rules.

### **CONSERVATION AND ENVIRONMENT**

**MR. SPEAKER:** Your Committee on Conservation and Environment begs to leave to report that we have carefully considered and recommend for passage: House Bill No. 226.

*HILLIS, Chairman.*

Under the rules, House Bill No. 226 was transmitted to the Committee on Calendar and Rules.

### **FINANCE, WAYS AND MEANS**

**MR. SPEAKER:** Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 145, 155 (with amendment), 178 (with amendment), 197 (with amendment), 288, 290, 324 and 325 (with amendment).

*BRAGG, Chairman.*

Under the rules, House Bills Nos. 145, 155, 178, 197, 288, 290, 324 and 325 were transmitted to the Committee on Calendar and Rules.

### **GENERAL WELFARE**

**MR. SPEAKER:** Your Committee on General Welfare begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 141, 202, 207, 253, 277, 383, 388 and 389 (with amendment).

*STARNES, Chairman.*

Under the rules, House Bills Nos. 141, 202, 207, 253, 277, 383, 388 and 389 (with amendment) were transmitted to the Committee on Calendar and Rules.

### **GOVERNMENT OPERATIONS**

**MR. SPEAKER:** Your Committee on Government Operations begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 198, 199, 200, 219, 254, 255 (with amendment), 256, 314, 321 and 381.

*DAVIS (Hamilton), Chairman.*

Under the rules, House Bills Nos. 198, 199, 200, 219, 254, 255, 256, 314, 321 and 381 were transmitted to the Committee on Calendar and Rules.

### **JUDICIARY**

**MR. SPEAKER:** Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 124, 129, 142, 144, 171, 228 and 297.

*MURPHY (Shelby), Chairman.*

Under the rules, House Bills Nos. 124, 129, 142, 144, 171, 228 and 297 were transmitted to the Committee on Calendar and Rules.

**LABOR AND CONSUMER AFFAIRS**

MR. SPEAKER: Your Committee on Labor and Consumer Affairs begs leave to report that we have carefully considered and recommend for passage: House Bill No. 195 and further recommend that House Bill No. 195 be referred to the Committee on Finance, Ways and Means.

ELLIS, *Chairman.*

The Speaker referred House Bill No. 195 to the Committee on Finance, Ways and Means.

**STATE AND LOCAL GOVERNMENT**

MR. SPEAKER: Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 22 and 208; and House Resolutions Nos. 1 and 6; and House Joint Resolution No. 3.

MILLER, *Chairman.*

Under the rules, House Bills Nos. 22 and 208; and House Resolutions Nos. 1 and 6; and House Joint Resolution No. 3 were transmitted to the Committee on Calendar and Rules.

**TRANSPORTATION**

MR. SPEAKER: Your Committee on Transportation begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 270 (with amendment), 275 and 434.

ROBINSON (Davidson), *Chairman.*

Under the rules, House Bills Nos. 270 (with amendment), 275 and 434 were transmitted to the Committee on Calendar and Rules.

**REPORT OF SELECT COMMITTEE ON RULES**

MR. SPEAKER: Your Select Committee on Rules begs leave to report that we have met and recommend the following changes and amendments to the Temporary Rules of the House of Representatives of the 92nd General Assembly; and further recommend that upon the adoption of this report, the Temporary Rules, as amended, be made the permanent rules of the House of Representatives of the 92nd General Assembly.

**RULE NO. 37**

Amend by changing "91st" to "92nd" in the last sentence so that it will read: "However, no bill or resolution may be voted on more than twice during the 92nd General Assembly."

**RULE NO. 63**

In the second paragraph, after the words, "the Minority Leader," amend by deleting the words "(or his designee)" and substituting in lieu thereof, the words "(or Assistant Minority Leader)" so that the rule will read:

"There shall be a Committee on Calendar and Rules to be composed of the Speaker; the Speaker Pro Tempore; the Majority Leader, the Majority Caucus Chairman, the Minority Leader (or Assistant Minority Leader), the Minority Caucus Chairman."

RULE NO. 78 (10)

Amend the Uniform Rules of Committees by adding the following language at the end of Committee Rule No. 10:

"If a motion to recommend a bill or resolution has been voted on by a standing committee two times and has failed to pass, then the same shall not be considered by the committee again during that annual session. This rule shall also apply to the Committee on Calendar and Rules."

AND FURTHER AMEND by adding the following new rule:

**RULE NO.—FISCAL MEASURES.** Any bill or resolution having a fiscal effect of \$100,000.00 or more shall be referred to the Committee on Finance, Ways and Means after consideration by the appropriate standing committee. The Committee on Finance, Ways and Means may offer committee amendments relating to fiscal concerns only, and shall not offer amendments relating to other substantive portions of the bill. If the Committee on Finance, Ways and Means recommends the bill or resolution for passage, the bill or resolution shall be referred to the Committee on Calendar and Rules. No bill or resolution having a fiscal effect of \$100,000.00 or more shall be put upon final passage until the same has been referred to and recommended by the Committee on Finance, Ways and Means.

RESPECTFULLY SUBMITTED,

S. T. Burnett

Jim Henry

Jim McKinney

Eugene Davidson

Jimmy Naifeh

Elbert T. Gill

Harper Brewer

David Y. Copeland

M. F. Stafford

R. Brad Martin

Mr. Burnett moved that the Report of the Select Committee on Rule be adopted and made the action of the House.

Mr. Lashlee moved the previous question, which motion prevailed by the following vote:

Ayes .....	80
Noes .....	2
Present and not voting .....	5

Representatives voting aye were: Akard, Baker, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Disspayne, Duer,

## WEDNESDAY, FEBRUARY 11, 1981—7th LEGISLATIVE DAY

Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kent, King (Washington), Lashlee, Love, McAfee, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—80.

Representatives voting no were: Bell (Knox) and DeBerry—2.

Representatives present and not voting were: Davis (Hamilton), Kernell, Martin, Owen and Small—5.

Thereupon, Mr. Burnett's motion that the Report of the Select Committee on Rules be adopted and made the action of the House prevailed by the following vote:

Ayes .....	93
Noes .....	0

Representatives voting aye were: Akard, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—93.

A motion to reconsider was tabled.

### LOCAL BILLS REFERRED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 116, 189, 244 and 312.

### REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Thursday, February 12, 1981: House Bill Nos. 176, 159, 160, 119 and 30.

GILL, *Chairman.*

### ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 82 and 131; and House Joint Resolution No. 73; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,  
*Chief Engrossing Clerk.*

**SPONSORS ADDED**

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 282—Webb

House Bill No. 372—Wallace

House Bill No. 390—Crain

House Bill No. 394—Crain

House Bill No. 434—Duncan

House Bill No. 459—Gill, Ford and DePriest

House Bill No. 593—Chiles

On motion of Mr. Burnett the House adjourned until 10:00 a.m. tomorrow.